

OPERATING PROCEDURES

LEAST RESTRICTIVE ENVIRONMENT COMPOSITE

Fabens ISD

071903

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Related Resources:

[Least Restrictive Environment](#)

[Placement in a Residential Facility](#)

Broad Category: FREE APPROPRIATE PUBLIC EDUCATION

PROCEDURES: LEAST RESTRICTIVE ENVIRONMENT

What is Required

District and Campus Special Education Personnel must educate a student with a disability in the least restrictive environment (LRE) which means that the student is educated with students who are not disabled to the maximum extent appropriate. Students should only be placed in special classes or separate schooling, or otherwise be removed from regular education classes when the student cannot be appropriately educated in regular education classes with the use of supplementary aids and services. Campus Special Education Personnel must also ensure that students with disabilities are able to participate with nondisabled students in extracurricular or nonacademic activities or services to the maximum extent appropriate to the needs of the student.

Continuum of Alternative Placements

District and Campus Special Education Personnel must make a continuum of alternative placements for special education and related services available to meet the needs of students with disabilities. The continuum ranges from the least restrictive setting to the most restrictive setting and must include instruction in general education classes, special classes, special schools, home instruction, and instruction in hospitals and institutions along with the provision for supplementary services such as resource room or itinerant instruction provided in conjunction with regular placement. Generally, the farther removed the student is from the general education classroom, the more restrictive the setting.

Placement Decisions

Decisions regarding placement of students with disabilities must be made by the ARD Committee, including the parents, at least annually based on the student's IEP, in conformity with the least restrictive environment, and as close as possible to the student's home. Unless the IEP requires some other arrangement, the student should be educated at the school that the student would attend if nondisabled. The placement or instructional setting for a student with a disability must be specified in the student's IEP. The IEP must also include an explanation of the extent, if any, to which the student will not participate with nondisabled peers in the regular class and in extracurricular and other nonacademic activities. The instructional settings/placements include:

- Mainstream
- Homebound
- Hospital class
- Speech therapy

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- Resource room or services
- Self-contained (mild, moderate, or severe) regular campus
- Off home campus
- Nonpublic day school
- Vocational adjustment class or program
- Residential care and treatment facility (not school district resident)
- State supported living center

Preschool-Aged Students

The requirement that District and Campus Special Education Personnel provide students with FAPE in the least restrictive environment also applies to preschool-aged students regardless of whether the District provides free preschool programs to all preschool-aged students.

Career and Technical Education (“CTE”) Programs

Campus Special Education Personnel may provide Career and Technical Education (“CTE”) services to a student with a disability in a separate program specifically designed to address the student’s individual occupational or training needs if a student is unable to receive a FAPE in a regular CTE classroom using supplementary aids and services. When determining placement in a CTE classroom, the ARD Committee will consider the student’s graduation plan, the content of the IEP including transition services, and classroom supports.

Regional Day School Program for the Deaf

The District has access to regional day school programs for the deaf operated by school districts at sites previously established by the State Board of Education. In addition, any student who has a hearing impairment which severely impairs processing linguistic information through hearing, even with recommended amplification, and which adversely affects educational performance will be eligible for consideration for the Regional Day School Program for the Deaf, subject to ARD Committee recommendations.

Students Residing in a Residential Facility

Students residing in a residential facility must also be educated in the least restrictive environment to the greatest extent appropriate.

Definitions

“General education setting” includes general education classrooms and other settings on a campus, including lunchrooms and playgrounds, in which students without disabilities participate.

“Inclusion” is a personalized special education program delivered to a student with a disability in conjunction with a regular education curriculum where support is provided to the student within the general education classroom.

“Mainstream” is an instructional arrangement/setting for providing special education and related services to a student in the regular classroom in accordance with the student’s IEP. Qualified special education personnel must be involved in the implementation of the student's IEP through the provision of direct,

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indirect and/or support services to the student, and/or the student's regular classroom teacher(s) necessary to enrich the regular classroom and enable student success. The student's IEP must specify the services that will be provided by qualified special education personnel to enable the student to appropriately progress in the general education curriculum and/or appropriately advance in achieving the goals set out in the student's IEP. Examples of services provided in this instructional arrangement include, but are not limited to, direct instruction, helping teacher, team teaching, co-teaching, interpreter, education aides, curricular or instructional modifications/accommodations, special materials/equipment, positive classroom behavioral interventions and supports, consultation with the student and his/her regular classroom teacher(s) regarding the student's progress in regular education classes, staff development, and reduction of ratio of students to instructional staff.

“Homebound” is an instructional arrangement/setting for providing special education and related services to students who are served at home or hospital bedside.

- Students served on a homebound or hospital bedside basis are expected to be confined for a minimum of four consecutive weeks as documented by a physician licensed to practice in the United States. Homebound or hospital bedside instruction may, as provided by District policy, also be provided to chronically ill students who are expected to be confined for any period of time totaling at least four weeks throughout the school year as documented by a physician licensed to practice in the United States. The student's ARD committee shall determine the amount of services to be provided to the student in this instructional arrangement/setting in accordance with federal and state laws, rules, and regulations.
- Home instruction may also be used for services to infants and toddlers (birth through age 2) and young students (ages 3-5) when determined appropriate by the student's individualized family services plan (IFSP) committee or ARD committee.

“Hospital class” is an instructional arrangement/setting for providing special education instruction in a classroom, in a hospital facility, or a residential care and treatment facility not operated by the school district. If the students residing in the facility are provided special education services outside the facility, they are considered to be served in the instructional arrangement in which they are placed and not considered in a hospital class.

“Speech therapy” is an instructional arrangement/setting for providing speech therapy services whether in a regular education classroom or in a setting other than a regular education classroom. When the only special education or related service provided to a student is speech therapy, then this instructional arrangement may not be combined with any other instructional arrangement.

“Resource room or services” is an instructional arrangement/setting for providing special education and related services to a student in a setting other than regular education for less than 50% of the regular school day.

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“Self-contained (mild, moderate, or severe) regular campus” is an instructional arrangement/setting for providing special education and related services to a student who is in a self-contained program for 50% or more of the regular day on a regular school campus.

“Off home campus” is an instructional arrangement/setting for providing special education and related services to the following, including, but not limited to:

- A student who is one of a group of students from more than one school district served in a single location when a free appropriate public education is not available in the respective sending district;
- A student in a community setting or environment (not operated by a school district) that prepares the student for postsecondary education/training, integrated employment, and/or independent living in coordination with the student's individual transition goals and objectives, including a student with regularly scheduled instruction or direct involvement provided by school district personnel, or a student in a facility not operated by a school district (other than a nonpublic day school) with instruction provided by school district personnel; or
- A student in a self-contained program at a separate campus operated by the school district that provides only special education and related services.

“Nonpublic day school” is an instructional arrangement/setting for providing special education and related services to students through a contractual agreement with a nonpublic school for special education.

“Vocational adjustment class or program” is an instructional arrangement/setting for providing special education and related services to a student who is placed on a job (paid or unpaid unless otherwise prohibited by law) with regularly scheduled direct involvement by special education personnel in the implementation of the student’s IEP. This instructional arrangement/setting shall be used in conjunction with the student's individual transition goals and only after the school district's career and technical education classes have been considered and determined inappropriate for the student.

“Residential care and treatment facility (not school district resident)” is an instructional arrangement/setting for providing special education and related services to students who reside in care and treatment facilities and whose parents do not reside within the boundaries of the school district providing educational services to the students. In order to be considered in this arrangement, the services must be provided on a school district campus. If the instruction is provided at the facility, rather than on a school district campus, the instructional arrangement is considered to be the hospital class arrangement/setting rather than this instructional arrangement. Students with disabilities who reside in these facilities may be included in the average daily attendance of the district in the same way as all other students receiving special education.

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“State supported living center” is an instructional arrangement/setting for providing special education and related services to a student who resides at a state supported living center when the services are provided at the state supported living center location. If services are provided on a local school district campus, the student is considered to be served in the residential care and treatment facility arrangement/setting.

Additional Procedures

The student’s ARD Committee and District and Campus Special Education Personnel will ensure that a student with a disability spends as much time as possible with peers who do not receive special education instruction. District and Campus Special Education Personnel will tailor the environment in which the special education and related services are provided to the student’s individual needs and disabilities.

The student’s ARD Committee will only consider placing the student in special classes or a separate school—otherwise remove the student from the general education classroom—where the ARD Committee determines that the District cannot provide an appropriate education within the general education classroom with supplementary aids and services.

Continuum of Alternative Placements

District and Special Education Personnel will provide a continuum of alternative placements that includes instruction in regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions. Where appropriate, District and Special Education Personnel will offer the opportunity for the student to receive supplementary services, including instruction in a resource classroom or inclusion instruction, in conjunction with placement in the general education setting.

Evidence of Implementation

- ARD/IEP
- ARD/IEP amendments
- Virtual lesson plans
- Communication logs with parents
- Service logs
- Evidence of participation in virtual learning from online platform
- Training documentation
- Documentation for the state in TSDS, PEIMS, and SPP